



PATENT
ATTORNEY DOCKET NO. 054163-5003-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David Cooke *et al.*

Application No.: 10/056,454

Group Art Unit: 1638

Filed: January 24, 2002

Examiner: D. Fox

For: IMPROVEMENT IN OR RELATING TO PLANT STARCH
COMPOSITIONS

Commissioner for Patents

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment responding to the Office Action dated August 15, 2003.
2. Additional papers enclosed:
 - ☒ Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§ 1.821-1.825
 - ☒ Paper Copy of Sequence Listing
 - ☒ Diskette Containing Sequence Listing
 - ☒ Associate Power of Attorney

01/12/2004 FBLANC 00000005 500310 10056454

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3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input checked="" type="checkbox"/> two months	\$ 420.00	\$ 210.00
<input type="checkbox"/> three months	\$ 950.00	\$ 475.00
<input type="checkbox"/> four months	\$ 1,480.00	\$ 740.00

Extension of time fee due with this request: \$420.00

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	60	minus	53	?	x \$18 each=	+ \$216.00
Independent Claims (37 C.F.R. §1.16(b))	4	minus	2	?	x \$86 each=	+ \$172.00
[] First presentation of Multiple dependent claim(s)					\$290.00	+ \$
SUB-TOTAL =						\$298.00
Two-Month Extension of Time Fee						+\$420.00
TOTAL FEE =						\$718.00

6. Fee Payment


- ☐ No fee is to be paid at this time.
- ☒ The Commissioner is hereby authorized to charge \$718.00 for excess claims and a two-month Extension of Time to Deposit Account No. 50-0310..
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: January 9, 2004

By:


Erich E. Veitenheimer
Reg. No. 40,420

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Image

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Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION

This Amendment and Response is filed in reply to the Non-Final Office Action dated August 15, 2003 (Paper No. 10), the period for response to which extends through January 15, 2003 with a petition for a two-month extension of time.

Amendments to the Specification are reflected beginning on page 2

Amendments to the Claims are reflected in the listing of the claims which begins at page 8 of this paper.

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02 FC:1202 216.00 DA